

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARRIN LEE RUDDELL,

Defendant.

No. 4:CR-16-6028-EFS

**ORDER GRANTING THE MOTION FOR
PROTECTIVE ORDER AND THE
STIPULATED MOTION RE: FORENSIC
REVIEW PROCEDURES FOR CHILD
PORNOGRAPHY CONTRABAND**

Before the Court are the parties' Stipulated Motion re: Forensic Review Procedures for Child Pornography Contraband, ECF No. 25, related Motion to Expedite, ECF No. 26, and the United States' Motion for Protective Order, ECF No. 24. Counsel for Defendant Darrin Lee Ruddell, Robert Fischer, and Assistant U.S. Attorney Laurel Holland agree to the terms set forth in the stipulated protective motion. And the privacy protection measures mandated by 18 U.S.C. § 3509(d), when a case involves a person under the age of eighteen years who is alleged to be a victim of a crime of sexual exploitation, or a witness to a crime committed against another person, apply to this case. Upon review, the Court grants the motions.

Accordingly, **IT IS HEREBY ORDERED:**

1. The United States' Motion for Protective Order, **ECF No. 24**, Stipulated Motion re: Forensic Review Procedures for Child Pornography Contraband, **ECF No. 25**, and related Motion to Expedite, **ECF No. 26**, are **GRANTED**.

1 2. The defense team shall not make, nor permit to be made, any
2 copies of the child pornography contraband pursuant to this
3 stipulation and order. The defense team agrees that it is
4 strictly precluded from removing any contraband images from
5 the government reviewing facility. Defense expert will be
6 allowed to compile a report (without contraband
7 images/videos) documenting the examination on removable
8 media if the case dictates. Defense expert will be provided
9 with a CD/DVD burner and disks to copy their report onto
10 optical media.

11 3. All persons acting in this case in a capacity described in
12 18 U.S.C. § 3509(d)(1)(B), shall follow and abide by the
13 privacy protections of 18 U.S.C. § 3509(d)(1) and (2) as
14 follows:

15 (d) Privacy protection.--

16 (1) Confidentiality of information.--

17 (A) A person acting in a capacity described in
18 subparagraph (B) in connection with a
19 criminal proceeding shall--

20 (i) keep all documents that disclose the
21 name or any other information
22 concerning a child in a secure place to
23 which no person who does not have
24 reason to know their contents has
25 access; and
26

1 (ii) disclose documents described in clause
2 (i) or the information in them that
3 concerns a child only to persons who,
4 by reason of their participation in the
5 proceeding, have reason to know such
6 information.

7 (B) Subparagraph (A) applies to--

8 (i) all employees of the Government
9 connected with the case, including
10 employees of the Department of
11 Justice, any law enforcement agency
12 involved in the case, and any person
13 hired by the Government to provide
14 assistance in the proceeding;

15 (ii) employees of the court;

16 (iii) the defendant and employees of the
17 defendant, including the attorney for
18 the defendant and persons hired by the
19 defendant or the attorney for the
20 defendant to provide assistance in the
21 proceeding; and

22 (iv) members of the jury.

23 (2) Filing under seal.--All papers to be filed in court
24 that disclose the name of or any other information
25 concerning a child shall be filed under seal
26 without necessity of obtaining a court order. The

1 person who makes the filing shall submit to the
2 clerk of the court--

3 (A) the complete paper to be kept under seal;
4 and

5 (B) the paper with the portions of it that
6 disclose the name of or other information
7 concerning a child redacted, to be placed in
8 the public record.

9 4. Counsel shall remind all persons providing assistance on this
10 case of the obligations set forth in Paragraph 3 above.

11 5. Any alleged minor victim will be referred to either by
12 initials or a pseudonym, whichever is agreed upon by counsel for the
13 United States and the Defendant. Counsel shall be consistent in their
14 use of the identifier selected. The parties shall prepare their
15 witnesses and instruct them to refer to the alleged minor victims only
16 by using the agreed pseudonyms (e.g., "Jane Doe 1", "Jane Doe 2" etc.),
17 rather than their names, in opening statements and in closing arguments.

18 6. All personal information relating to any minor victim shall
19 be precluded from public disclosure.

20 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this
21 Order and provide copies to all counsel.

22 **DATED** this 25th day of May 2016.

23
24 s/Edward F. Shea
EDWARD F. SHEA
25 Senior United States District Judge
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